

## [CHAPTER 745]

## AN ACT

To amend section 4021 of the Revised Statutes and to repeal section 4023 of the Revised Statutes relating to establishment of postal agencies.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4021 of the Revised Statutes (39 U. S. C., sec. 672) is amended to read as follows:

“SEC. 4021. The Postmaster General may establish postal agencies at such foreign seaports or airports at which United States mail steamers or airships touch to land and receive mails, as may in his judgment promote the efficiency of the foreign mail service; and he may pay the postal agents employed thereat a reasonable compensation for their services, in addition to the necessary expenses for office rent, office furniture, clerk hire, and incidental expenses.”

Sec. 2. Section 4023 of the Revised Statutes (39 U. S. C., sec. 674) is hereby repealed.

Approved, October 5, 1940.

October 5, 1940  
[H. R. 9991]  
[Public, No. 798]

Postal Service.  
R. S. § 4021, amend-  
ment.

Establishment of  
postal agencies at for-  
eign seaports, etc.

Compensation of  
postal agents.

Repeal.

## [CHAPTER 746]

## AN ACT

To authorize the Administrator of Veterans' Affairs to grant an easement in a small strip of land at Veterans' Administration Facility, Los Angeles, California, to the county of Los Angeles, California, for sidewalk purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to grant an easement for sidewalk purposes to the county of Los Angeles, State of California, in the following-described property located at Veterans' Administration Facility, Los Angeles, California:

The southerly ten feet of lot 1, block 23, of the subdivision of Rancho San Jose de Buenos Ayres, as shown on map recorded in book 26, pages 19 and the following, of Miscellaneous Records of the County of Los Angeles, this property being a strip of land ten feet in width abutting the north line of Wilshire Boulevard and extending between the east street line of Veteran Avenue and the west street line of Gayley Avenue.

The easement authorized by this Act shall contain the express reservation that should the land cease to be used for sidewalk purposes then all right, title, and interest therein shall immediately revert to and revest in the United States.

Approved, October 5, 1940.

October 5, 1940  
[H. R. 10287]  
[Public, No. 799]

Los Angeles, Cali-  
fornia.  
Easement for side-  
walk purposes.

Description.

Reservation.

## [CHAPTER 756]

## AN ACT

Making supplemental appropriations for the national defense for the fiscal year ending June 30, 1941, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the national defense for the fiscal year ending June 30, 1941, namely:

October 8, 1940  
[H. R. 10572]  
[Public, No. 800]

Third Supple-  
mental National De-  
fense Appropriation  
Act, 1941.

## TITLE I—WAR DEPARTMENT

## MILITARY ACTIVITIES

Title IV, Military  
Appropriation Act,  
1941.  
*Ante*, pp. 350, 352.

Additional appro-  
priations.

For additional amounts for appropriations for the Military Establishment, fiscal year 1941, to be supplemental to, and merged with, the appropriations under the same heads in the Military Appropriation Act, 1941, including the objects and subject to the limitations and conditions specified therein except as otherwise provided herein, and for all purposes necessary to carry into effect the provisions of the Act of August 27, 1940 (Public Resolution Numbered 96, Seventy-sixth Congress), authorizing the President to order members and units of reserve components into active military service, and of the Selective Training and Service Act of 1940 (Public, Numbered 783, Seventy-sixth Congress), as follows:

*Ante*, p. 350.

*Ante*, p. 858.

*Ante*, p. 885.

*Ante*, p. 352.

## CONTINGENCIES OF THE ARMY

For contingencies of the Army, \$10,000.

## GENERAL STAFF CORPS

*Ante*, p. 353.

## MILITARY INTELLIGENCE ACTIVITIES

For military intelligence activities, \$100,000.

*Ante*, p. 353.

## FIELD EXERCISES

For special field exercises, \$22,313,909.

## ADJUTANT GENERAL'S DEPARTMENT

*Ante*, p. 354.

## WELFARE OF ENLISTED MEN

For welfare of enlisted men, \$2,572,594.

## FINANCE DEPARTMENT

*Ante*, p. 354.

## PAY OF THE ARMY

Pay of the Army.

For pay of the Army, including not more than eight hundred thousand selective trainees under the provisions of the Selective Training and Service Act of 1940, and including not to exceed \$345,000 for the employment of civilian clerks at military headquarters, \$280,174,562: *Provided*, That this appropriation shall not be subject to any limitation on the enlisted strength of the Army, on the number of retired officers who may be called to active duty, on the number of medical officers entitled to aviation increase, nor on the number of assistant superintendents of the Army Nurse Corps: *Provided further*, That, exclusive of officers of the Army Air Corps, including those assigned thereto for training, the number of officers of the Army who may be required to participate regularly and frequently in aerial flights during the fiscal year 1941 shall not exceed 5 per centum of the total authorized commissioned strength of the Army, notwithstanding the provisions of section 20, Act of June 10, 1922, as amended.

*Ante*, p. 885.

*Provisos.*  
Appropriation not  
subject to designated  
limitations.

Participation in ae-  
rial flights, limitation.

42 Stat. 632.  
10 U. S. C. § 292.

*Ante*, p. 356.

## TRAVEL OF THE ARMY

For travel of the Army, including travel of dependents of retired warrant officers, retired enlisted men of the first three grades, and enlisted men of the first three grades of the Regular Army Reserve, when such warrant officers or enlisted men are ordered to active duty and upon relief therefrom, \$21,138,331.

## EXPENSES OF COURTS MARTIAL

*Ante*, p. 357.

For expenses of courts martial, \$60,000.

## FINANCE SERVICE

*Ante*, p. 357.

For finance service, Army, \$1,220,890.

## QUARTERMASTER CORPS

## SUBSISTENCE OF THE ARMY

*Ante*, p. 357.

For subsistence of the Army, \$82,858,520.

## REGULAR SUPPLIES OF THE ARMY

*Ante*, p. 358.

For regular supplies of the Army, \$10,565,985.

## CLOTHING AND EQUIPAGE

*Ante*, p. 358.

For clothing and equipage, \$165,262,093.

## INCIDENTAL EXPENSES

*Ante*, p. 359.

For incidental expenses of the Army, including not to exceed \$40,000 for activities of chaplains (excluding ritual garments and personal services), \$8,843,752.

## ARMY TRANSPORTATION

*Ante*, p. 359.

For Army transportation, including packing and crating and transportation of authorized baggage of retired warrant officers, retired enlisted men, and enlisted men of the Regular Army Reserve when ordered to active duty and upon relief therefrom, without limitation as to the amount of this appropriation which may be expended for purchase or exchange of passenger-carrying vehicles, or for purchase or construction, alteration, operation, and repair of boats, and including not to exceed \$800,000 for cost of converting into transports and equipping two vessels under construction by the United States Maritime Commission, \$174,549,843.

*Ante*, p. 360.

## HORSES, DRAFT, AND PACK ANIMALS

For horses, draft, and pack animals, \$3,366,340.

## MILITARY POSTS

*Ante*, p. 360.

For military posts, \$29,500,000, which sum shall be restored to the Emergency fund for the President, created by the Military Appropriation Act, 1941, in reimbursement of a like amount advanced therefrom: *Provided*, That the appropriation under this title contained in Public Resolution Numbered 99, approved September 24, 1940, shall be available for all the objects and subject to the limitations and conditions specified under the same head in the Military Appropriation Act, 1941, except as otherwise provided therein: *Provided further*, That the last two provisos under this heading in title I of the Second Supplemental National Defense Appropriation Act, 1941 (Public, Numbered 781, Seventy-sixth Congress), are amended to read as follows: "*Provided further*, That the Secretary of War may, with respect to contracts for public works for the Military Establishment, whether or not for construction at military posts, entered into upon a cost-plus-a-fixed-fee basis out of funds appropriated for the

Reimbursement.

*Ante*, p. 377.

*Provisos.*  
Availability of funds.  
*Ante*, p. 958.

*Ante*, p. 360.

Amendments.

*Ante*, p. 873.

Contracts for public works.  
Waiver of certain bond requirements.

40 U. S. C., Supp.  
V, § 270a.  
Limitation on fixed  
fee.

Monthly reports to  
chairmen of desig-  
nated Congressional  
Committees.

fiscal year 1941 or authorized to be entered into prior to July 1, 1941, waive the requirements as to performance and payment bonds of the Act approved August 24, 1935 (49 Stat. 793; 40 U. S. C. 270a): *Provided further*, That the fixed fee to be paid the contractor as a result of any contract for public works entered into on or after September 9, 1940, for the construction and installation of buildings, utilities, and appurtenances at military posts shall not exceed 6 per centum of the estimated cost of the contract, exclusive of the fee, as determined by the Secretary of War.”: *Provided further*, That the Secretary of War and Secretary of the Navy shall submit monthly, within ten days following the last day of each month, commencing on or before November 10, 1940, to the respective chairmen of the Committees on Military and Naval Affairs and Appropriations of the Senate and House of Representatives a report where such Secretaries are respectively concerned of (1) all cost-plus-a-fixed-fee contracts concluded within the period embraced by each report, and (2) of all land acquisitions accomplished within such periods, such reports to show (1) as to cost-plus-a-fixed-fee contracts the object or objects thereof, the name and place of business of the contractor, the estimated cost of the contract exclusive of the fee, the amount of the fee, and the date of the contract, and (2) as to land acquisitions the location, area, intended use, the purchase price, the amount appropriated therefor, and the assessed value (first reports shall cover the period July 1 to October 31, 1940).

*Ante*, p. 362.

#### BARRACKS AND QUARTERS AND OTHER BUILDINGS AND UTILITIES

For barracks and quarters and other buildings and utilities, \$33,717,489.

*Ante*, p. 363.

#### CONSTRUCTION AND REPAIR OF HOSPITALS

For construction and repair of hospitals, \$1,729,357.

#### SIGNAL CORPS

*Ante*, p. 363.

#### SIGNAL SERVICE OF THE ARMY

For signal service of the Army, \$11,242,208.

#### AIR CORPS

*Ante*, p. 364.

#### AIR CORPS, ARMY

Travel of officers,  
etc., by air.

Transportation of  
new aircraft.

Contracts.

For Air Corps, Army, \$109,995,957, which sum may be used for the travel of officers and enlisted men of the Air Corps by air in connection with the administration of this appropriation, including travel by air or rail required in connection with the transportation of new aircraft from factory to first destination; and, in addition, the Chief of Air Corps, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1941, in an amount not in excess of \$60,000,000 for the purposes for which this appropriation is available.

*Ante*, p. 364.

The paragraph under the heading “Air Corps, Army”, appearing in the Military Appropriation Act, 1941, is hereby amended by striking therefrom the words and figures “\$76,205,988 shall be available under the appropriation ‘Air Corps, Army, 1940,’” and inserting in lieu thereof the words and figures “\$32,205,988 shall be available under the appropriation ‘Air Corps, Army, 1939–1940’ and \$44,000,000 under the appropriation ‘Air Corps, Army, 1940’ ”.

MEDICAL DEPARTMENT, ARMY

MEDICAL AND HOSPITAL DEPARTMENT

*Ante*, p. 366.

For Medical and Hospital Department, Army, \$46,766,288.

CORPS OF ENGINEERS

ENGINEER SERVICE, ARMY

*Ante*, p. 367.

For Engineer Service, Army, \$4,008,992.

ORDNANCE DEPARTMENT

ORDNANCE SERVICE AND SUPPLIES, ARMY

*Ante*, p. 367.

For ordnance service and supplies, Army, including not to exceed \$150,000 for the services of such consultants as the Secretary of War may deem necessary at rates of pay to be fixed by him, not to exceed \$50 per day, and for their necessary traveling expenses, \$36,441,426.

CHEMICAL WARFARE SERVICE

*Ante*, p. 368.

For Chemical Warfare Service, Army, \$1,879,454.

CHIEF OF INFANTRY

INFANTRY SCHOOL, FORT BENNING, GEORGIA

*Ante*, p. 369.

For Infantry School, Fort Benning, Georgia, \$14,320.

CHIEF OF CAVALRY

INSTRUCTION IN CAVALRY ACTIVITIES

*Ante*, p. 369.

For instruction in Cavalry Activities, \$26,245.

ARMORED FORCE

INSTRUCTION IN ARMORED FORCE ACTIVITIES

For supplies, services, and other expenses essential in conducting instruction of the Army in armored force activities, \$296,121.

CHIEF OF FIELD ARTILLERY

INSTRUCTION IN FIELD ARTILLERY ACTIVITIES

*Ante*, p. 369.

For instruction in Field Artillery Activities, \$45,750.

CHIEF OF COAST ARTILLERY

COAST ARTILLERY SCHOOL, FORT MONROE, VIRGINIA

*Ante*, p. 369.

For Coast Artillery School, Fort Monroe, Virginia, \$16,940.

SEACOAST DEFENSES

*Ante*, p. 369.

For seacoast defenses, general, \$309,000.

## NATIONAL GUARD

*Ante*, p. 371.  
Reduction in appropriation for National Guard.  
Reappropriation.

The appropriation for the National Guard contained in the Military Appropriation Act for the fiscal year 1941 is reduced by the following amounts, which are reappropriated and transferred for use under the following heads, subject to the same authority, limitations, and conditions applicable to said appropriations except as modified in this Act:

*Ante*, p. 354. Pay of the Army, \$12,188,343;  
*Ante*, p. 356. Travel of the Army, \$38,000;  
*Ante*, p. 358. Clothing and equipage, \$45,000;  
*Ante*, p. 359. Incidental expenses, \$2,521,337;  
*Ante*, p. 359. Army transportation, \$127,612;  
*Ante*, p. 364. Air Corps, Army, \$840,000;  
*Ante*, p. 367. Engineer Service, Army, \$30,000;  
*Ante*, p. 367. Ordnance service and supplies, \$2,000,000;  
In all, \$17,790,292.

## ORGANIZED RESERVES

*Provisos*.  
Flight training.

For Organized Reserves, \$86,161,608: *Provided*, That this appropriation shall be available for flight training of officers of the Officers' Reserve Corps without regard to any limitation as to such training in the Military Appropriation Act, 1941: *Provided further*, That regardless of the limitation heretofore imposed, funds appropriated for Organized Reserves for the fiscal year 1941 shall be available for the pay and allowances of members of the Officers' Reserve Corps who may have been or may hereafter be given flight training and detailed as officer navigators, officer bombardiers, officer bombardier-observers and officer balloon observers with combat units of the Air Corps.

*Ante*, p. 374.  
Availability of funds.

## RESERVE OFFICERS' TRAINING CORPS

Motor-transport and tank units.

Funds appropriated under this title may be used for the establishment and maintenance of additional motor-transport and tank units in the Reserve Officers' Training Corps, notwithstanding any limitation in the Military Appropriation Act, 1941.

*Ante*, p. 375.

*Ante*, p. 602.

## EXPEDITING PRODUCTION

For an additional amount for expediting production, including the same objects and subject to the same conditions and limitations specified under this head in the Second Supplemental National Defense Appropriation Act, 1941, \$88,000,000; and, in addition, the Secretary of War, upon the recommendation of the Advisory Commission of the Council of National Defense, and with the approval of the President, is authorized to enter into contracts prior to July 1, 1941, for the same purposes to an amount not exceeding \$90,000,000.

*Ante*, p. 874.

Contracts.

## SELECTIVE SERVICE SYSTEM

For the operation and maintenance of the Selective Service System as authorized by the Selective Training and Service Act of 1940 (Public, Numbered 783, Seventy-sixth Congress), including personal services in the District of Columbia and elsewhere, lawbooks, periodicals, and books of reference, payment of actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses of persons serving while away from their homes, without other compensation from the United States, in an advisory capacity to the Director of Selective Service; and purchase and

Operation and maintenance.

*Ante*, pp. 885, 897.

exchange, and hire, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles, including one automobile (at a cost not exceeding \$1,500) for the Director of Selective Service, \$24,825,108, to remain available until June 30, 1942: *Provided*, That the travel of persons engaged in the administration of the Selective Service System, including commissioned, warrant, or enlisted personnel of the Army, Navy, Marine Corps, or their reserve components, may be ordered by the Director or by such persons as he may authorize, and persons so traveling shall be entitled to transportation and subsistence or per diem in lieu of subsistence, at rates authorized by law.

*Proviso.*  
Travel.

### MILITARY AND CIVIL ADMINISTRATIVE EXPENSES

The Secretary of War is authorized to employ such additional personnel at the seat of government and elsewhere, and to provide out of any appropriations available for the Military Establishment for their salaries and for such printing and binding, communication service, and supplies as he may deem necessary to carry out the purposes of this Act (the amount for personal services at the seat of government, other than for field-service employees, shall not exceed one-half of 1 per centum of the total amount of cash appropriated for the Army by this Act: *Provided*, That the amount authorized in the Military Appropriation Act, 1941, for expenses or compensation of persons who serve in an advisory capacity to the Secretary of War is increased from \$50,000 to \$150,000.

Additional personnel, etc.

Limitation.

*Proviso.*  
Expenses, etc., of persons serving in advisory capacity.  
*Ante*, p. 350.

Citation of title.

SEC. 101. This title may be cited as "Title IV, Military Appropriation Act, 1941".

### TITLE II—CIVIL FUNCTIONS, WAR DEPARTMENT

For additional amounts for appropriations for civil functions administered by the War Department, fiscal year 1941, to be supplemental to, and merged with, the appropriations under the same heads in the War Department Civil Appropriation Act, 1941, including the objects and subject to the limitations and conditions specified therein except as otherwise provided herein, as follows:

Title II, War Department Civil Appropriation Act, 1941.

*Ante*, pp. 505, 601.

#### QUARTERMASTER CORPS

#### CEMETERIAL EXPENSES

*Ante*, p. 505.

Citation of title.

For cemeterial expenses, \$779,554.

SEC. 201. This title may be cited as "Title II, War Department Civil Appropriation Act, 1941".

### TITLE III—NAVY DEPARTMENT

For additional amounts for appropriations for the Navy Department and the naval service, fiscal year 1941, to be supplemental, and, in addition, to the appropriations in the Naval Appropriation Act for the fiscal year ending June 30, 1941, including the objects and subject to the limitations and conditions specified therein, except the limitations suspended by Act approved June 28, 1940 (Public, Numbered 671, Seventy-sixth Congress), and except as otherwise provided herein, as follows:

Title V of the Naval Appropriation Act for the fiscal year 1941.

*Ante*, p. 265.  
Additional appropriations.

*Ante*, p. 265.

*Ante*, p. 676.

## NAVAL ESTABLISHMENT

## OFFICE OF THE SECRETARY

*Ante*, p. 265.Miscellaneous ex-  
penses.

Miscellaneous expenses: For an additional amount for the pay of employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department for the fiscal year 1941, \$165,000.

Services of experts.

Not to exceed \$5,000 of the appropriation "Miscellaneous expenses, 1941", shall be available in the discretion of the Secretary of the Navy, for the payment of the services of experts now engaged on a survey and study of the methods of transacting the business of the Navy Department.

*Ante*, pp. 272, 276.

## BUREAU OF SHIPS

Maintenance, Bureau of Ships: For the same objects specified under the appropriations or portions of appropriations transferred to and consolidated under this head in accordance with section 1 (h) of the Act approved June 20, 1940 (Public, Numbered 644, Seventy-sixth Congress), \$11,000,000.

*Ante*, p. 493.

## BUREAU OF ORDNANCE

*Ante*, p. 273.

Ordnance and ordnance stores: For the manufacture and procurement of antiaircraft batteries for auxiliary vessels now being acquired and those to be acquired for naval use including labor, material, and personal services for the manufacture and procurement of ordnance material including ammunition in connection therewith and including additional equipment, tools, and facilities at ordnance stations or private plants for the production, handling, and storage of like ordnance material and ammunition for both combatant and auxiliary vessels, \$36,000,000.

*Ante*, p. 274.

## BUREAU OF SUPPLIES AND ACCOUNTS

Maintenance, Bureau of Supplies and Accounts, \$400,000.

Reserve material, Navy: For an additional amount for reserve material, Navy, including the same objects specified under this head in the Naval Appropriation Act for the fiscal year 1940 and in title III of the Naval Appropriation Act for the fiscal year 1941, \$700,000, to remain available until expended.

53 Stat. 757.  
*Ante*, p. 605.*Ante*, p. 279.

## BUREAU OF YARDS AND DOCKS

*Ante*, p. 280.

## PUBLIC WORKS, BUREAU OF YARDS AND DOCKS

Public works and  
public utilities proj-  
ects.

Toward the following public works and public utilities projects, including the purchase of necessary land, at a cost not to exceed the amount stated for each project, respectively, \$9,500,000, which amount, together with unexpended balances of appropriations herein and heretofore made under this head, shall be disbursed and accounted for in accordance with existing law and shall constitute one fund:

Third naval district.  
*Ante*, p. 956.

Third naval district: Graving drydock and accessory construction, New York Harbor, \$10,000,000.

Naval Supply De-  
pot, Bayonne, N. J.

Naval Supply Depot, Bayonne, New Jersey, area: Fleet supply facilities, including buildings and accessories, and acquisition of land, \$5,000,000.

Naval Air Station, Corpus Christi, Texas: Additional facilities, including the acquisition of land, \$3,000,000.

Naval Air Station,  
Corpus Christi, Tex.

Naval Training Station, Great Lakes, Illinois: The project under the head of "Public Works, Bureau of Yards and Docks" for improvement of sewage disposal system at the Naval Training Station, Great Lakes, Illinois, contained in the Second Supplemental National Defense Appropriation Act, 1941, is amended to read as follows: Improvement of sewage disposal system and extension of roads, walks, and services.

Naval Training Sta-  
tion, Great Lakes, Ill.

*Ante*, p. 878.

The provisions of section 4 of the Act approved April 25, 1939 (53 Stat. 590-592), shall be applicable to all public works and public utilities projects provided in this title, regardless of location: *Provided*, That the fixed fee to be paid the contractor as a result of any contract hereafter entered into under the authority of the above mentioned Act shall not exceed 6 per centum of the estimated cost of the contract, exclusive of the fee, as determined by the Secretary of the Navy.

Cost-plus-a-fixed-fee  
contracts.

*Proviso*.  
Limitation on fixed  
fee.

*Ante*, p. 677.

To enable the Secretary of the Navy to expedite the construction or provision of the public works and public utilities projects mentioned in this Act, the limit of cost indicated for each of such projects may, in the discretion of the Secretary of the Navy, be varied upward or downward by an amount not to exceed 10 per centum, but the aggregate of all such limits of cost shall not be exceeded.

Variance of limits of  
cost.

#### BUREAU OF AERONAUTICS

*Ante*, p. 282.

Aviation, Navy, including plant expansions and facilities in private plants, \$15,000,000.

#### MARINE CORPS

*Ante*, p. 283.

#### PAY, MARINE CORPS

For an additional amount for pay of enlisted men, active list, and for pay and allowances of the Marine Corps Reserve, comprising the same objects specified under this head in title I of the Naval Appropriation Act for the fiscal year 1941, to carry out the provisions of the Selective Training and Service Act of 1940 (Public, Numbered 783, Seventy-sixth Congress), \$2,401,000.

*Ante*, p. 283.

*Ante*, p. 888.

#### NAVY DEPARTMENT

Salaries, Office of the Chief of Naval Operations, \$35,000.

Contingent expenses, \$50,000.

Printing and binding, \$50,000.

Contingent and miscellaneous expenses, Hydrographic Office, including purchase of five additional offset presses, \$100,000.

*Ante*, p. 288.

*Ante*, p. 289.

*Ante*, p. 290.

*Ante*, p. 290.

SEC. 301. During the remainder of the fiscal year ending June 30, 1941, all retired officers of the Navy and Marine Corps, and retired officers and enlisted men of those services, shall, when on active duty, receive full pay and allowances.

Retired officers and  
enlisted men.  
Pay, etc., when on  
active duty.

SEC. 302. This title may be cited as "Title V of the Naval Appropriation Act for the fiscal year 1941".

Citation of title.

#### TITLE IV—GENERAL PROVISIONS

SEC. 401. This Act may be cited as the "Third Supplemental National Defense Appropriation Act, 1941".

Short title.

Approved, October 8, 1940.